

Questions and Answers for Supporting the Academic Success of Children and Youth Experiencing Homelessness

What is the McKinney-Vento Homeless Education Act of 2001?

The McKinney-Vento Homeless Education Assistance Act is Title X, Part C of the No Child Left Behind Act of 2001. This legislation ensures that children and youth experiencing homelessness have full and equal access to an appropriate public education and that they experience success in school. Key components include:

Enrollment

- Schools must immediately enroll children and youth in homeless situations, even when:
 - Ⓢ School or immunization records are unavailable at the time of enrollment.
 - Ⓢ Proof of residency is not available.
- Students may stay in their school of origin, if feasible.
- Public notice of the educational rights of homeless children and youth must be posted in every public school and in appropriate places throughout the community.
- Unaccompanied youth must be provided educational access through the support of the local homeless education liaison. (See definition under “Who is considered homeless.”)

Attendance and Success

Students with appropriate support are more likely to attend school on a regular basis. Attendance is critical if school success is to be realized. School districts must provide appropriate case management to ensure students have access to all educational services to which they are eligible.

- Students experiencing homelessness must receive services comparable to those of housed students.
- Transportation to the school of origin must be provided, when appropriate.
- Social service agencies and school districts must work together to serve students.
- Families and unaccompanied youth experiencing homelessness must be fully informed of available enrollment options and educational opportunities.
- Schools must provide written explanations of placement decisions and the enrollment dispute process.
- Separate schools or programs for children and youth experiencing homelessness are prohibited, with the exception of several programs specifically named in the McKinney-Vento Act.

Who is Considered Homeless?

The McKinney-Vento Act (Section 725) defines a “homeless children and youth” (school age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, including children and youth who are:
 - Ⓢ Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - Ⓢ Living in motels, hotels, trailer parks, cars, public spaces, abandoned buildings, substandard housing, bus or train stations, camping grounds or similar settings due to the lack of alternative adequate accommodations.
 - Ⓢ Living emergency or transitional shelters.



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- Ⓢ Abandoned in hospitals.
- Ⓢ Awaiting foster care placement.
- Migratory children who qualify as homeless because they are living in circumstances described above.
- Unaccompanied youth, including any youth not in the physical custody of a parent or guardian, such as runaways, youth denied housing by their families (sometimes referred to as throwaway children and youth), and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

How can schools verify that students are homeless?

There is no universal system of verification. Shelter providers may verify homeless status. Children and youth must be enrolled immediately when the school is informed that the family or youth is experiencing homelessness. If questions regarding homeless status based upon the definition of the McKinney-Vento Act exist, schools should contact their local homeless education liaison.

Are all children and youth who live with friends or relatives considered homeless?

No. Lack of affordable housing and permanence of the living arrangement, not cultural preference or the desire to save money, are criteria to assist in determining who should be considered homeless.

Are children and youth who qualify for migrant services considered homeless?

The children of migrant workers should only be considered homeless if they meet the definition

of homelessness cited earlier. A migratory lifestyle is not sufficient to be considered homeless.

Are children or youth incarcerated or in correction facilities considered homeless?

No. The McKinney-Vento Act specifically excludes any person who is imprisoned or otherwise detained by Act of Congress or state law from the definition of homelessness. Even children or youth who were homeless prior to incarceration, are not considered homeless while incarcerated.

What additional guidance is available regarding the definition of homelessness and the education of homeless students?

The organizations listed on the last page of this information brief have developed materials to support state and local efforts. Continue to visit their websites for new materials and resources.

How Quickly Must Children and Youth Experiencing Homelessness be Enrolled in School?

Schools must immediately enroll a child or youth experiencing homelessness, even if the child or youth is unable to produce records normally required for enrollment.

What homeless children need most of all is a home. While they are experiencing homelessness, however, children desperately need to remain in school. School is one of the few stable, secure places in the lives of homeless children and youth—a place where they can acquire the skills needed to help them escape poverty.

—National Coalition for the Homeless



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Must a school enroll children or youth without proof of immunizations or physicals?

Yes. The school must enroll students who do not have health records if they meet the definition of homeless. The school should refer the family or youth to the local homeless education liaison to obtain the necessary documentation. The sending school may provide a copy of the health record to the parent when the student leaves and fax a copy to the new school to facilitate this process.

Must schools enroll students in homeless situations who do not have previous school records?

Yes. Students experiencing homelessness must be enrolled in school while waiting for the previous school records to be received. Parents can request copies of critical documents such as Individualized Educational Programs (IEPs), gifted testing records, and report cards from the sending school. Parent packs, developed by NCHE, (see additional resources) may assist in maintaining important school documents.

If a student in a homeless situation moves without returning books or paying fees, can a school district withhold student records?

No. A school district cannot withhold records when books or charges have not been paid.

Can a school require proof of residency (rent receipt, lease agreement, utility receipt) that prevents or delays enrollment?

No. Homeless students, by definition, lack a fixed residence and cannot be required to provide

traditional proof of residency if doing so is not possible or would delay enrollment. An affidavit explaining the lack of residency proof can be completed as an alternative.

When children or youth experiencing homelessness are not living with parents or legal guardians, is the school required to enroll the child?

Yes. Guardianship cannot be a barrier to enrollment. Some students, due to family situations, may not be able to live with their family; others are not permitted by their parents or guardians to live at home. The local liaison should be contacted to assist unaccompanied youth who wish to enroll in school.

If families in homeless situations move within a school district, can students stay at the same school, even if they move out of the school's attendance zone?

Yes, the McKinney-Vento Act states, that when feasible, students have a right to stay in the school of origin. The school of origin is the school that the child attended when permanently housed or the last school in which the student was enrolled.

Can school districts educate children and youth experiencing homelessness in separate schools (e.g., classes located on shelter sites)?

Homelessness is not a reason to separate students from their housed peers. Students in homeless situations must not be isolated from the mainstream school environment except in a few limited circumstances defined in the McKinney-Vento legislation.



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What services must school districts provide to children and youth in homeless situations?

The McKinney-Vento Act requires school districts to provide services to students experiencing homelessness that are comparable to services provided to other students in the school district. Homeless children and youth must have access to any educational services for which they qualify, including special education, gifted education, free and reduced-lunch programs, before- and after-school activities, and Title I services. The students are not to be segregated or stigmatized.

Can Title I funds be used to address the educational needs of children and youth experiencing homelessness?

Yes. According to the No Child Left Behind Act, children and youth experiencing homelessness automatically qualify for Title I support, whether students attend schoolwide, targeted assistance, or non-Title I schools. Title I must coordinate services in order to promote the academic achievement of homeless students.

May children and youth experiencing homelessness attending non-Title I schools be served under Title I?

Yes. Title I, Part A funds must be reserved to provide comparable services to eligible homeless children who might attend schools not receiving Title I funding. This may include providing educationally related support services to children in shelters.

Are children experiencing homelessness eligible to enroll in pre-kindergarten classes?

Yes. Students who are homeless should have the same access to programs as students who are housed. Head Start and Even Start may reserve slots for students experiencing homelessness to avoid waiting list delays that occur when children arrive after the school year has begun.

How should special education programs serve students experiencing homelessness?

Not all students experiencing homelessness are students with disabilities. However, under the Child Find component in IDEA, districts must identify unserved children with disabilities who are homeless.

Can a school expedite the child study and eligibility process for students in homeless situations?

Yes. The eligibility process that educators use to determine if a disability exists may require significant time. Families experiencing homelessness often move before the eligibility process is complete. If parents inform the receiving school that an eligibility process was in progress, the school may decide to speed up the process.

Other Frequently Asked Questions

What academic concerns commonly impact students in homeless situations?

Due to changing schools and the stress of being homeless, students may fall behind academically, causing learning lags and gaps that can be more than four months. Students may not have quiet places to study or access to school



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supplies, books, or computers. Students need to know of study halls or after-school tutoring availability. If a child was receiving special education services or was participating in gifted and talented programs, the continuity of instruction needs to be maintained.

What are some common health-related issues affecting students experiencing homelessness?

Students who are homeless are often at an increased risk of becoming ill due to their living conditions. If the students become sick, they often have no quiet place to rest. These students are more likely than their peers to get the flu, have stomach ailments, have respiratory problems, and visit the emergency room. School nurses can help by offering referrals for screenings, maintaining a clothes closet, assisting parents in filling out forms, and ensuring that students are aware of the school's procedure for participating in the free and reduced-lunch program.

What are some of the other issues that commonly affect students experiencing homelessness?

Students in homeless situations often are concerned about their safety because they may not have a secure place to go after school. In these instances, students should be told about and about community programs, such as a Boys and Girls clubs. In addition, homeless students must also deal with the stigma associated with being homeless. They may have difficulty establishing friendships. Guidance counselors or school social workers may assist students in dealing with emotions associated with being homeless. Schools can create welcome packs for all new students containing basic information about the school and assign peer buddies to tour the school.

Where can I go for more information and assistance?

Additional guidance from the United States Department of Education will be available in the fall 2002.

NCHE provides services to improve educational opportunities and outcomes for children and youth experiencing homelessness in our nation's school communities. They provide resources and referral information.

Contact Information

NCHE
P.O. Box 5367
Greensboro, NC 27453
336-315-7543
800-308-2145 Toll-Free
336-315-7457 Fax
HelpLine: 800-308-2145
www.serve.org/nche

Other Helpful Contacts

National Association for the Education of Homeless Children and Youth
www.naehcy.org

National Coalition for the Homeless
www.nationalhomeless.org

National Law Center on Homelessness & Poverty
www.nlchp.org

The U.S. Department of Education
www.ed.gov

Local Liaison: _____

Telephone: _____

E-mail: _____

